

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

_____)	
NATASHA ATHENS d/b/a Favorite Things,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:21-cv-00748-SM
)	
BANK OF AMERICA and MEGAN SCHOLZ,)	
)	
Defendants.)	
_____)	

**DEFENDANTS BANK OF AMERICA, N.A. AND MEGAN SCHOLZ’S
RESPONSE TO PLAINTIFF’S REQUEST FOR IMMEDIATE SEALING OF EXHIBITS**

NOW COME defendants Bank of America, N.A.¹ and Megan Scholz (“Defendants”), by and through their attorneys, Primmer Piper Eggleston & Cramer PC, and hereby respectfully responds to Plaintiff’s Request for Immediate Sealing of Exhibits (Doc. #38) as follows:

A. Plaintiff is Mistaken About Personal Identifiers.

1. Pursuant to Fed. R. Civ. P. 5.2, the parties are required to redact certain “personal identifiers” in pleadings, including social security numbers and financial account numbers.

2. The Court’s “Notice About Personal Identifiers and Other Sensitive Information Filed with the Court,” instructs counsel and parties that documents containing social security and financial account numbers should include just the last four digits when filing such documents with the Court.

3. In the exhibits filed with the Declaration of George Driver in Support of Defendants’ Motion to Dismiss, the Defendants redacted Plaintiff’s personal identifiers in accordance with the Court’s instructions, including all but the last four digits of Plaintiff’s social

¹ Incorrectly named in Plaintiff’s Complaint as “Bank of America.”

security number; all of the EIN number; all but the last four digits of the SBA PPP loan number; and all but the last four digits of the Lender PPP loan number.

B. Assent to Sealing the Exhibits.

4. Although Plaintiff's personal identifiers within the exhibits filed in support of Defendants' motion to dismiss were properly redacted, Defendants nevertheless assent to Plaintiff's request to seal the exhibits.

WHEREFORE, Defendants respectfully request that the Court:

- A. Grant the Motion to the limited extent that the exhibits are placed under seal;
- B. Deny any other request made or inferred by the Motion; and
- C. Grant such other relief as the Court deems just.

Respectfully submitted,

BANK OF AMERICA, N.A. and MEGAN SCHOLZ

By their attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC

Dated: November 16, 2021 By: /s/ Thomas J. Pappas
Thomas J. Pappas, Esq., N.H. Bar No. 4111
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANTS BANK OF AMERICA, N.A. AND MEGAN SCHOLZ'S RESPONSE TO PLAINTIFF'S REQUEST FOR IMMEDIATE SEALING OF EXHIBITS has this day been forwarded via the Court's Electronic Case Filing System to:

Natasha Athens
Natasha4NHGov@protonmail.com

Dated: November 16, 2021 By: /s/ Thomas J. Pappas
Thomas J. Pappas, Esq., (N.H. Bar No. 4111)